

Notice of Allowability

Application No.

10/743,183

Examiner

Steven L. Weinstein

Applicant(s)

RUSTON, ANDREA

Art Unit

1761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMNDT FILED 4/7/06
2. ☒ The allowed claim(s) is/are 15, 4+5 RENUMBERED CLAIMS. 1-3, RESPECTIVELY
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Steve Weinstein
STEVE WEINSTEIN 1761
PRIMARY EXAMINER
2/12/07

Art Unit: 1761

REASONS FOR ALLOWANCE

The art, taken as a whole, does not teach the recited specific combination of elements, i.e. the loops, the apertures, the string, the reinforcing elements and the infusion bag, and their relationship to each other, which elements and their relationships allows one to manually fill the bag and then close the bag by pulling the doubled portion of the string (i.e. the double strand), thus causing first the top corners of the bag to fold down and then a second fold to be formed, finally resulting in cinching of the diagonally folded top corners and complete closing of the bag mouth. Note that the phrase single strand of string refers to the single thickness of the string itself, not doubled, (as shown, for example, across the open top of the bag in figure 4) whereas the double strand refers to the single thickness of string coming together with another single thickness of string, (as shown, for example, at the loop 24 in figure 4). Also, clearly the string would inherently be movable through the loops and apertures in order for the string to cause the folding and closing of the bag mouth.

Steve Weinstein
STEVE WEINSTEIN
PRIMARY EXAMINER 1761
2/12/07

EXAMINER'S AMENDMENT

The following changes were agreed upon in a telephone interview with Mr. Belkin on 2/11/07, which changes put this application in condition for allowance.

Claim 1 has been cancelled and new claim 15 has been added as follows:

-- 15. An infusion bag for manually filling and closing the bag, comprising:

an infusion bag defined by front and rear opposing surfaces, top and bottom opposing ends, and first and second opposing side edges joining the front and rear surfaces wherein said top end is open forming a mouth through which material can be placed in the bag, wherein said bag is substantially rectangular having top corners and a top edge at the top end, and a pair of adjacent apertures located in said rear opposing surface adjacent the top edge thereof, midway between said side edges;

first and second loops, said first and second loops being disposed respectively, on the respective top corners of said rear surface of said bag, and a third loop being disposed on said front surface of said bag midway between said first and second opposing side edges, and

a string having first and second ends, wherein a single strand of said string passes continuously through said first loop, both apertures, and said second loop on the rear surface of said bag and then portions of the single strand loop around each opposing side edge onto the front surface of the bag and coming together down through the third loop in a double strand and ending below the third loop in two free ends; each of said apertures and said loops being present in association with a reinforcing element;

said apertures and loops being positioned in said bag, and said string being movable

through said apertures and said loops such that when said free ends of said string are pulled downwardly, a first pair of diagonal fold lines in said front and rear opposing surfaces defined by said reinforcement elements permit the top corners of said bag to fold down, and a third fold line parallel to a top edge of said bag and defined by said reinforcing elements permit a second fold of said bag when said string is pulled further, causing said first and second loops to be pulled adjacent said third loop, resulting in cinching of the folded top corners and completely closing the mouth of the bag. - -

Claims 6-14 are cancelled.

It is noted that, upon reconsideration, the restriction requirement set forth in the Office action mailed 6/7/05, is hereby withdrawn.

Accordingly, claim 5, previously withdrawn from further consideration, is rejoined.

In claim 5, the dependency of claim 5 has been changed from claim 4 to claim ¹⁵1;

In claim 4, the dependency of claim 4 has been changed from claim 3 to claim ¹⁵1.

Steve Weinstein
STEVE WEINSTEIN
PRIMARY EXAMINER
2/12/07
1761